

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:)	Group Art Unit: 4143
)	
Komuro et al.)	Examiner: UBER, NATHAN C
)	
Serial No.: 10/501,526)	Confirmation No.: 7145
)	
Filed: 07-16-2004)	<u>REQUEST FOR CONSIDERATION OF</u>
)	<u>REFERENCE IN INFORMATION</u>
Atty. File No.: 5553KO1-1)	<u>DISCLOSURE STATEMENT</u>
)	<u>SUBMITTED OCTOBER 24, 2006</u>
For: Content delivery apparatus and)	
content creation method)	Electronically Submitted

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

On October 24, 2006, Applicants submitted an Information Disclosure Statement (IDS) in the above-identified patent application. The Information Disclosure Statement, including the non-patent literature reference (containing a translation as previously provided on October 24, 2006), and the Status Letter Mailed to Applicant, are attached hereto as Exhibit A.

On March 17, 2008, the Examiner issued an Official Action for the above-identified case. The Official Action was accompanied by a List Of References Cited By Applicant And Considered By Examiner. This list included the aforementioned Information Disclosure Statement of October 24, 2006, but only the foreign patent reference was initialed by the Examiner, with the non-patent literature reference lined through. The Official Action stated reasons why other Information Disclosure Statements were not considered, but gave no reason for not considering the lined through non-patent literature reference from the October 24, 2006, IDS. The Official Action, including the lined through version of the October 24, 2006, IDS is attached hereto as Exhibit B.

Due to the fact that the non-patent literature reference (i.e., Notice of Refusal for counterpart Japanese Patent Application No. 2003-560757 dated September 4, 2006) was

correctly submitted to the USPTO, with a translation, Applicants hereby respectfully request that the non-patent literature reference listed in Information Disclosure Statement of October 24, 2006, be considered by the Examiner.

Although no fees are believed due in connection with this communication, please charge any fees deemed necessary to Deposit Account No. 19-1970. If additional information is required please contact the undersigned.

Respectfully submitted,

SHERIDAN ROSS P.C.

By: _____

Jason H. Vick
Registration No. 45,285
1560 Broadway, Suite 1200
Denver, Colorado 80202-5141
(303) 863-9700

Date: 17 Jan '08